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Attorneys for Defendant
NEOPTIX, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUMASENSE TECHNOLOGIES,

Plaintiff,

v.

NEOPTIX, INC.,

Defendant.

Case No. C-09-02023-WHA

**STIPULATION AND [PROPOSED]
ORDER RESCHEDULING CASE
MANAGEMENT CONFERENCE**

STIPULATION RESCHEDULING CASE MANAGEMENT CONFERENCE

IT IS HEREBY STIPULATED AND AGREED between Plaintiff LumaSense Technologies and Defendant Neoptix, Inc., by and through their undersigned counsel, that due to unavailability of lead counsel for LumaSense Technologies on the current August 20, 2009 Case Management Conference date, good cause exists to reschedule the Case Management Conference in this action. Because lead counsel for Neoptix, Inc. is unavailable on the following Thursday, August 27, 2009, the parties request that the Case Management Conference be rescheduled to September 3, 2009, or as soon thereafter as the matter may be heard, before the Honorable William H. Alsup of the United States District Court for the Northern District of California, San Francisco Division.

IT IS SO AGREED AND STIPULATED.

Dated: August 14, 2009

/s/ Gregory L. Lippetz

Gregory L. Lippetz
JONES DAY

Counsel for Plaintiff
LUMASENSE TECHNOLOGIES

In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

Dated: August 14, 2009

/s/ Brian D. Henri

Brian D. Henri
THOMAS WHITELAW & TAYLOR LLP

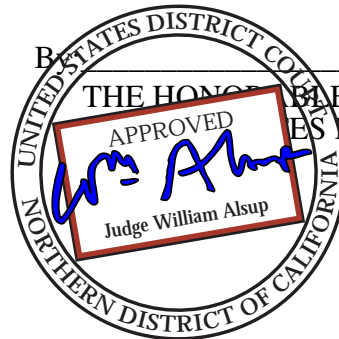
Counsel for Defendant
NEOPTIX, INC.

[PROPOSED] ORDER

Pursuant to the Stipulation between the parties, the Case Management Conference in this matter will be rescheduled to September 3, 2009. THERE WILL BE NO FURTHER CONTINUANCES.

IT IS SO ORDERED.

DATED: _ August 14 _____, 2009



By: _____
THE HONORABLE WILLIAM H. ALSUP
DISTRICT JUDGE